

## **KENTUCKY BOARD OF DENTISTRY**

### **LAW ENFORCEMENT COMMITTEE MEETING**

**October 17, 2007**

**CALL TO ORDER:** The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Babcock to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Allen seconded the motion. All were in favor. A motion was made by Dr. Babcock to come out of closed session. Dr. Dew seconded the motion. All were in favor. A motion to adjourn was made by Dr. Dew. Dr. Babcock seconded the motion. The committee meeting adjourned at 5:00 p.m.

### **LAW ENFORCEMENT COMMITTEE MEETING**

**November 9, 2007**

**CALL TO ORDER:** The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Babcock seconded the motion. All were in favor. A motion was made by Dr. Dew to come out of closed session. Dr. Babcock seconded the motion. All were in favor. A motion to adjourn was made by Dr. Babcock. Dr. Dew seconded the motion. The committee meeting adjourned at 5:30 p.m.

### **BOARD MEETING**

**November 10, 2007**

**CALL TO ORDER:** President David Narramore, D.M.D. called the meeting to order at 9:05 a.m.

**Roll Call:** Present Board members were David Narramore, D.M.D.; William Dew, D.M.D.; Chris Babcock, D.M.D., M.D.; Dianne Embry, R.D.H.; Jim Allen, D.M.D.; Julie Gaskill, D.D.S.; and Hank Sleet, D.M.D., M.D. Staff present were Eric T. Clark, Executive Director; Lisa Turner, Executive Staff Advisor; Sylvester Gurnell, Executive Secretary; and Mark Brengelman, Board Attorney.

#### **Visitors**

Kelly Dudley from the Legislative Research Commission and Ryan Halloran from the Office of the Attorney General.

#### **Approval of Minutes**

Dr. Dew motioned that the Minutes of the September 8, 2007 Board Meeting be accepted. Dr. Babcock seconded the motion. All were in favor.

### **COMMITTEE REPORTS**

#### **Well-Being Committee**

Eric Clark presented the Well-Being Committee Report to the Board.

#### **Credentials Committee**

Dr. Dew motioned that a dental hygiene license by credentials be issued to Crystal Amos, R.D.H. Dr. Babcock seconded the motion. All were in favor.

Dr. Dew motioned that a dental hygiene license by credentials be issued to Christine Nash, R.D.H. Dr. Gaskill seconded the motion. All were in favor.

Dr. Dew motioned that a dental hygiene license by credentials be issued to Matthew Clemons, R.D.H. Dr. Gaskill seconded the motion. All were in favor.

Dr. Babcock motioned that a dental license by credentials be issued to John Sauk, D.D.S. Dr. Allen seconded the motion. All were in favor.

Dr. Babcock motioned that a dental license by credentials be issued to John Virag, D.M.D. Dr. Allen seconded the motion. All were in favor.

## **Law Enforcement Committee**

Dianne Embry motioned that the closed case report be accepted. Dr. Gaskill seconded the motion. All were in favor.

06-37 Dianne Embry moved to go into closed session under KRS 61.810(1)(c) and (j) to discuss the pending litigation and an adjudication on an individual licensee in the matter of Kentucky Board of Dentistry v. Michael Wehby, D.M.D. Dr. Gaskill seconded the motion. Mr. Ryan Halleran from the Office of the Attorney General provided representation to the Board, Mark Brengelman left the room. All were in favor. Dr. Gaskill moved to come out of closed session, Dianne Embry seconded the motion. All were in favor. No actions were taken in closed session. Dr. Gaskill moved to accept the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer with conditions, as the Board's Final Order. Dr. Sleet seconded the motion. All were in favor.

07-146 Dr. Allen moved to submit the Board's investigative file to the Jefferson County Attorney who is prosecuting this matter. Dr. Gaskill seconded the motion. All were in favor.

07-123A Dr. Babcock moved to file a Notice of Administrative Hearing and Order. Dr. Gaskill seconded the motion. All were in favor.

07-123B Dr. Babcock moved to file a Notice of Administrative Hearing and Order. Dr. Gaskill seconded the motion. All were in favor.

07-125 Dr. Babcock moved to issue Private Admonishment. Dr. Gaskill seconded the motion. All were in favor.

06-119 Dr. Sleet moved that the correspondence from Dr. Homing Kim to numerous dentists in Kentucky should be investigated by the Law Enforcement Committee for the purpose of determining whether or not such correspondence was a form retaliation against the complainant, a person who testified or cooperated with the Board during its investigation. Dr. Gaskill seconded the motion. All were in favor.

07-139 Dr. Babcock moved to issue a Cease and Desist Order. Dianne Embry seconded the motion. All were in favor.

07-127, 128, 142 and 151. Dr. Babcock moved to issue Immediate Temporary Suspension. Dr. Gaskill seconded the motion. All were in favor.

07-55 Dr. Gaskill moved to file a Notice of Administrative Hearing and Order. Dr. Sleet seconded the motion. All were in favor.

06-32 Dr. Sleet moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

07-00 Dianne Embry moved to accept Settlement Agreement. Dr. Sleet seconded the motion. All were in favor.

07-42 Dr. Allen motioned to accept the Settlement Agreement. Ms. Embry seconded the motion. All were in favor.

Drs. Allen, Babcock, and Dew recused from voting on matters relating to the Law Enforcement Committee.

Dr. Babcock informed the Board that he would no longer serve on the Law Enforcement Committee because his term has expired. Dr. Gaskill moved for Dr. Allen to be Chair of the LEC. Dr. Sleet seconded the motion. All were in favor.

## **Director's Report**

Dr. Sleet moved to accept the draft of the Confidentiality Agreement, Dr. Allen seconded the motion. All were in favor.

Mr. Clark discussed the U of L School of Dentistry C.E. course on the use of Dental Lasers.

Mr. Clark reviewed the agency budget for the first month of the second quarter of fiscal year 2008.

Mr. Clark also informed the Board of the status of moving the Board office to another location.

Mr. Clark reported that there have not been any Board appointments for Zones 2 and 6 and the consumer member position remains vacant.

Mr. Clark reminded the Board about the 2008 Southern Conference of Dental Deans and Examiners in Hoover, Alabama on January 11 – 13, 2008.

Mr. Clark informed the Board about the 2008 AADE Mid-Year Meeting in Chicago, Illinois on March 9-10, 2008.

Mr. Clark reviewed statistics of the dentist license renewals.

### **Newsletter Committee**

Mr. Clark requested Board members to consider possible topics for the 2008 Spring Newsletter.

### **Legislative Committee**

Mr. Clark requested Board members to consider a 2008 Legislative Agenda.

### **Old Business**

The Board agreed to remain the dental laboratory registration laws as is.

### **New Business**

Dianne Embry moved to approve Sandra Watts Austin, R.D.H.'s request for the Mountain Comprehensive Health Corporation to conduct visual dental exams for the Letcher County Public School System. Dr. Gaskill seconded the motion. All were in favor.

Dr. Allen moved to disapprove Dr. Tony Quiroa's request for Board approval for hygienists from Small Smiles of Louisville to conduct dental screening services at various elementary schools. Dr. Gaskill seconded the motion. All were in favor.

Dianne Embry moved that the dentist who signed the work order used in general supervision be designated as such on the bill. Dr. Allen seconded the motion and all were in favor.

Dianne Embry moved to apply the same continuing education remediation applied as other similar cases to Kristie Weather, R.D.H., who is applying for an Administration of Block/Infiltration Anesthesia and Nitrous Oxide Certificate. Dr. Gaskill seconded the motion, all were in favor.

The Board reviewed and approved correspondence from the Office of the Attorney General, which is requesting confirmation that the Board will accept a new rate of \$125 per hour for legal services.

Dr. Gaskill moved to deny William Moorhead, D.M.D.'s request for expungement of Board disciplinary action from 1997. Dr. Allen seconded the motion. All were in favor.

Dr. Babcock moved to go into closed session to consider a Request for Proposal for additional legal services. Dr. Allen seconded the motion. All were in favor. Dr. Sleet moved to come out of closed session and Dr. Gaskill seconded the motion. All were in favor. Dr. Allen moved to pursue a Request For Proposal for additional legal counsel at the Board. Dr. Gaskill seconded the motion. All were in favor.

There being no further business, Dr. Dew motioned to adjourn at 3:05 p.m., Dr. Gaskill seconded the motion. All were in favor.

**APPROVED:**

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David Narramore, D.M.D.  
President

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Bill Dew, D.M.D.  
Vice President